

REMARKS

Reconsideration is respectfully requested.

1. In point 1 of the Office Action, the Examiner withdrew the finality of the prior Office Action based on the Request for Continued Examination and entered Applicants' submission of April 27, 2006. Applicants acknowledge the Examiner's action and thank the Examiner for withdrawing the prior rejection over the Boyle reference.

2. In point 2 of the Office Action, the Examiner advised that the art unit for this application has changed to Art Unit 2617. Applicants acknowledge this change.

3. In point 3 of the Office Action, the Examiner advised that the Examiner has considered the references listed in the Information Disclosure Statement filed on April 27, 2006. Applicants acknowledge this advice.

4. In point 4 of the Office Action, the Examiner objected to claim 1 as lacking a linking comma or semicolon after the phrase "communication signal." In response, Applicants have amended claim 1 to include the requested semicolon.

5-6. In points 5-6 of the Office Action, the Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the Examiner found that it is unclear whether: (i) the "base/repeater station" recited on lines 7 and 10 and "said base/repeater station" recited on lines 23, 28 and 50 are one in the same and (ii) the "one or more target stations," "a target station" and "said target station" are one in the same. The Examiner also stated that the rest of the claims will be reviewed for consistency of language.

In response, Applicants have amended claims 1 and 11 to clarify the language regarding the target stations. Applicants also have reviewed the claims for consistency of language and have made changes where Applicants deemed them appropriate. No new matter has been added.

7-8. In points 7-8 of the Office Action, the Examiner rejected claims 1-3, 5, 7-13 and 16-18 under 35 U.S.C §103(a) as being unpatentable over Scheinert *et al.* in view of VOCAL Technologies Ltd. “Vocal.” The Examiner contends that Scheinert teaches all of the elements of claim 1 except that Scheinert does not explicitly show a decoder.

In response, Applicants have amended the base claims (claims 1 and 11) to make clearer the distinctions between the present invention and Scheinert and highlight the deficiencies in the reference that the Vocal reference does not cure. The amendments and deficiencies are explained below.

Regarding claim 1, the Examiner determined that Scheinert discloses a first two-way radio (citing lower 24 in Figure 5). Applicants disagree and submit that Scheinert is concerned with cell phone communications, not two-way radio communications. *See, e.g.*, paragraph [0005] of Scheinert. Applicants note the discussion of the use of a number of handsets for the cell phone communications described in paragraph [0037] of Scheinert, however, handset use does not constitute two-way radio communications. In contrast, the present claimed invention requires two-way radio communications. In order to make clearer that distinction, subparts (a)-(d) of claim 1 have been amended to specify that the communication signals used in the present invention are “two-way radio” signals, not the microwaves used for wireless phone communications. Support for this amendment can be found at least at page 2, lines 1-8. No new matter has been added.

The Examiner also contends that Scheinert discloses a base/repeater station of claim 1 (citing 42 alone or in combination with computer 44 or modem 46) having a decoder (46) and a controller (48). In response, Applicants have amended claim 1 to make clearer that the base/repeater station has a decoder and controller located at the base/repeater station in contrast to the remote devices cited by the Examiner in Scheinert. No new matter was added. Support for this amendment can be found at least at page 4, lines 14-19.

The Examiner also asserts that Scheinert discloses the transfer of a signal from a base station decoder to a base station controller (citing in particular paragraph [0027]). In response and to further differentiate the present claimed invention from Scheinert, Applicants have amended claim 1 to state that the signal transfer occurs through a conventional link NOT an “IP connection” as called for by Scheinert (see in particular paragraph [0027]). No new matter was added. Support for this amendment can be found at least at page 4, lines 16-20.

Next, the Examiner asserted that Scheinert discloses the correlation of a decoded signal to one or more internet address (citing step 68 of Fig. 6 and claim 15). In response, Applicants have amended the claims to point out that, in the context of the claimed invention, the purpose of correlating the decoded signal to one or more internet addresses associated with at least one said target base station is to establish a bi-directional computer network link with a target station using the internet address for the exchange of two-way radio communication signals, *i.e.*, to connect the stations. No new matter was added. Support for the amendment can be found at least at page 7, lines 18-20. In contrast, Scheinert (at paragraph [0045]) teaches that the purpose of step 68 is

authentication of the internet address to which the Internet base station is connected to ensure that the user is indeed at the entered location and, therefore, truly within the cell phone provider's licensed area. There is no teaching in Scheinert to employ the claimed correlation.

The Examiner also contends that Scheinert discloses a target base station (citing IBS or BTS 22). However, the IBS or BTS 22 disclosed by Scheinert does not disclose a target station that establishes a computer network link with a base/repeater station as required by the present claims. The IBS of Scheinert establishes a computer link with an IBCS, *i.e.*, a controller, not with a base/repeater station having an integral decoder and controller as required by the present claims. Further, the BTS (22) establishes a conventional link (25) with a BSC (26), *i.e.*, its own controller, not the controller of a target station, as called for in the present claimed invention. Equally important, neither the IBS nor the BTS identified by the Examiner have the integrated controller called for in the amended claims. The IBS and BTS devices are dependent on remote controllers (26 and 48).

The Examiner next asserts that Scheinert discloses a second two-way radio. However, as noted above, Scheinert relates to cell phones not two-way radios and the claims have been amended to further clarify this point.

Finally as to claim 1, the Examiner states that the claim is not limited to a particular structure. In this regard, the Examiner gave no effect to the claim provisions requiring the establishment of a computer network link between the controller at a base/repeater station and a controller at a target station that allows two-radio communications between two-way radios because the claim used "can be" and

“whereby” language. The Examiner contends that use of this language allows for the completely different Scheinert objective of establishing internet connection between an internet base station and a internet controller at a remote location, the purpose of which is to connect the IBS to a mobile switching center (“MSC”). In light of the Examiner’s statements, claim 1 has been amended to remove the “can be” language to make clearer that present invention establishes a computer network link between the controller at a base/repeater station and a controller at a target station that allows two-radio communications between two-way radios using radio waves. No new matter has been added by the amendments. *See, e.g.*, Figure 1.

The Examiner thereafter stated that, although Scheinert does not explicitly show a decoder, Scheinert teaches that modem 46 can be a V.34 modem and that V.34 modems use codec as evidenced by the Vocal reference. As demonstrated above, even if the V.34 modem can be used as the claimed decoder, which contention Applicants do not concede, Scheinert still does not teach or suggest the invention set forth in claim 1 as amended. Because the Vocal reference does not cure the deficiencies, the claims are allowable.

The Examiner’s rejections of claims 2-10, which depend from claim 1, are based on the rejections of claim 1. As explained above, because claim 1 is allowable over the cited references, the dependent claims are also allowable.

Regarding Claims 11-13 and 16-18, the Examiner rejected them for the same reasons noted above. Applicants respectfully submit that claim 11, as amended herein, renders the invention called for in claim 11 and the claims dependent thereon patentable. In particular, claim 11 has been amended in similar fashion to claim 1 to make clearer that the present invention concerns: (i) two-way radio communications, not cell phone

communications; (ii) a base/repeater station having an integrated controller not a remote one; (iii) correlating a decoded signal to an internet address for the purpose of establishing a bi-directional link for exchanging communication signals not for an authentication purpose; and (iv) a direct link between a base station and a target station that does not involve an intermediate MSC. No new matter has been added. Support for the amendments may be found at least at page 2, lines 1-8; page 4, lines 14-19; page 4, lines 16-20; and Figure 1.

Based on the foregoing amendments and reasons explained with respect to the rejection of claim 1, Applicants respectfully submit that claim 11 and the claims that depend therefrom are allowable.

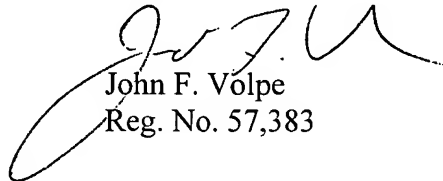
9. In point 9 of the Office Action, the Examiner rejected claims 4, 6 and 14-15 under 35 U.S.C. §103(a) as being unpatentable over Scheinert and Vocal as applied to claims 1 and 11 above in further view of the specification at page 2, second paragraph, and page 6, second paragraph. Although Applicants do not agree with the Examiner's assertion of the admitted prior art, because claims 4, 6 and 14-15 are based either on claims 1 or 11 and because these independent claims are allowable over the cited references, Applicants submit that this rejection is also overcome.

10. In point 10 of the Office Action, the Examiner stated that Applicants' prior arguments are moot in view of the new grounds of rejection. Applicants acknowledge said statement.

11. For the record, Applicants note that Scheinert is section 102(e) prior art. Accordingly, Applicants reserve the right to swear behind the reference should the Examiner not agree with the forgoing.

Early and favorable action is earnestly requested.

Respectfully submitted,



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